REMARKS

Amendments to Claims 1 and 15

Applicant respectfully submits that the amendments to Claims 1 and 15 find support in the application as originally filed, and therefore, do not constitute new matter. Specifically, support is found on Page 10, lines 1-14, Page 11, lines 5-9, Page 18, lines 20-28 and Page 24, lines 1-10 of the specification, as well as in FIGS. 1 and 3. Therefore, Applicant respectfully submits that no new matter is introduced by these amendments and that Claims 1 and 15 are currently in condition for allowance.

Claim Rejections – 35 U.S.C. §102

Claims 1-12 and 14-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Shane (U.S. Patent No. 5,793,972).

Directing Examiner's attention to MPEP 2131, the threshold issue under Section 102 is whether the Examiner has established a *prima facie* case for anticipation. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)". "The identical invention must be shown in as complete detail as is contained in the …claim." *Richardson v. Suzuki Motor Co.,* 868 F.2d 1226, 1236, 9 USPQ2d 1566 (Fed. Cir. 1989).

Amended Claim 1 recites a messaging system comprising "… a response management function (22) comprising means for monitoring a response from a recipient contact using said links, wherein the response management function is configured to

automatically capture and record each action the recipient contact takes in the message ...."

Shane fails to teach a response management function automatically capturing and recording each action the recipient contact takes in the message, as recited in Claim 1. Shane merely discloses a responding recipient entering a uniform resource locator (URL) containing a unique personal identification code displayed on the direct mail piece into a web browser in order to bring up a personalized web page (Col. 4, lines 36-49). There is no mention at all in Shane of the recipient taking any action within the message, let alone a response management function automatically capturing and recording each of these actions.

Additionally, Claim 1 recites the message engine comprising means for "receiving a message generated by a user locally using an external messaging application; and parsing said message and generating a message having a wrapper with links to content of the content database according to the parsing."

Shane fails to disclose means for receiving a message generated by a user using an external messaging application, as recited in Claim 1. As discussed above, Shane is merely directed towards a recipient entering a URL containing a unique personal ID code into a web browser. On Page 3 of the Office Action dated June 27, 2006, it states that Examiner interprets an external messaging application could be AOL, Yahoo or Hotmail. However, Applicant respectfully submits that this statement is insufficient to establish that Shane teaches the external messaging application element of Claim 1. Examiner fails to explain how AOL, Yahoo or Hotmail are, or could be, incorporated into Shane in order to teach the present invention. Simply citing a passage that discloses that the recipient communicates with the system through the Internet, as Examiner has done with Col. 4, lines 20-44, does not provide sufficient evidence or reasoning.

Furthermore, Shane also fails to disclose means for parsing the message generated by the use of the external messaging application and generating a message having a wrapper with links to content of the content database according to the parsing. The passages cited by Examiner merely describe the basic functioning of Shane's system, where a web page is presented to a recipient after the recipient enters a personalized URL into a web browser. Applicant cannot find, nor has Examiner cited, any mention of the system in Shane parsing a message generated by an external messaging application and generating a message based on this parsing.

Therefore, since Shane fails to teach each and every element of Claim 1, Applicant respectfully submits that Claim 1 is not anticipated by Shane.

Since Claims 2-12 and 14 depend from Claim 1, Applicant respectfully submits that they are also patentable as they contain the same limitations as their parent claim.

Applicant respectfully submits that the same arguments made above with respect to the patentability of Claim 1 are applicable to the patentability of Claim 15 as well.

Since Claims 16 and 17 depend from Claim 15, Applicant respectfully submits that they are also patentable as they contain the same limitations as their parent claim.

Therefore, Applicant respectfully submits that Claims 1-12 and 14-17 are currently in condition for allowance. Reconsideration and withdrawal of the rejection is respectfully requested.

If the Examiner has any questions regarding this application, the Examiner may telephone the undersigned at 775-586-9500.

Respectfully submitted,
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